

MP5325.7002-2 - Exceptions

2019 Edition

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Parent topic: [MP5325 - Foreign Acquisitions](#)

1.DomesticNon-AvailabilityDeterminationsDNADUnderDFARS225.7002 Domestic Non-Availability Determinations (DNAD) Under DFARS 225.7002

Follow these mandatory procedures when requesting approval to purchase restricted items under DFARS 225.7002; for example, food, clothing, tents, tarpaulins, covers, cotton and hand or measuring tools. The requirement to comply with these statutory and regulatory restrictions applies to procurements in excess of the simplified acquisition threshold. This MP provides assistance in determining the applicability of restrictions when drafting a DNAD. A DNAD must be tailored to your acquisition. In some cases it may not be possible to obtain all of the data specified in the [DNAD template](#) ; however, contracting officers should make every effort to do so. See DFARS 225.7002 for the entire list.

2.DNADException DNAD Exception

a. Individual DNADs

When a contractor asserts that a domestic item identified at DFARS 225.7002-1 is not available, a DNAD is required; the [DNAD](#) must be coordinated through the SCO and [SAF/AQC](#) before submission to the Secretary of the Air Force (SecAF) for approval. The SecAF may grant a DNAD if compliant items, identified at DFARS 225.7002-1, of satisfactory quality and sufficient quantity, and in the required form, cannot be procured at U.S. market prices as and when needed. This approval authority is not delegable. This exception should not be read to require that the compliant material/item must be totally unavailable (i.e., cannot be obtained at any cost). There is some cost

limit that should be recognizable by a contracting officer, and that a reasonable person would agree, makes the material/item effectively “unavailable.”

b. Class DNADs

Contracting officers may continue to use OUSD (AT&L) approved class DNADs that cover food, clothing, fabrics, and hand or measuring tools for new contracts if the DNAD was signed by the Undersecretary of Defense (OUSD) (AT&L) or by a Service Secretary. The OUSD (AT&L) DNADs currently available for reciprocal use are posted on the [DCMA website](#) . If a class DNAD is used, the contracting officer must prepare a Determination and Finding (D&F) approved by the SCO. This approval may not be further delegated. The contracting officer must obtain legal review to support the determination.